

Erbil's Endgame

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Preparations for the independence referendum highlight political and generational divides in Iraqi Kurdistan.

Post-War Watch: On September 25, 2017, the Kurdistan Regional Government (KRG) is scheduled to hold a referendum on independence, beginning what its leaders describe as a process of secession from Iraq. Baghdad and its regional partners do not approve of the KRG's move, although it had been expected. Should it proceed, will the referendum and its aftermath eventually lead to statehood in Iraqi Kurdistan? Were there other motives behind Erbil's referendum announcement?

Bilal Wahab: An independent Kurdistan is the ultimate goal and has been the dream for every Kurdish nationalist movement since the breakup of the Ottoman Empire. The Iraqi Kurdish region is closest today to achieving this goal, with foundations such as a strong Peshmerga, oil revenues, and some state institutions. However, the KRG has not formulated a strategy or policy for getting the region to that point. What is crucial to remember about the recently announced referendum is that, in the absence of any official or coherent policy, it will mark the start of a process toward independence. It is also important to note that the referendum's outcome is pretty much already known: While it is unlikely that the same 98 percent of Iraqi Kurds who voted for independence in 2005 will do so again today, it is clear that the majority of Iraqi Kurds will vote "yes" in September. The question facing policymakers in Erbil is whether the majority will be great (perhaps greater than 80 percent) or lower (perhaps around 60 percent). The difference between these two outcomes would be tremendous, but ultimately the result vis-à-vis independence is the same.

However, while analysts and policymakers can be fairly sure of what will happen on September 25, they do not know what will happen on September 26. What will the Iraqi Kurdish political leadership do with the referendum's results? Pronouncements from high-ranking KRG officials have indicated that, following a "yes" vote, Kurdish policymakers would then open negotiations with Baghdad. Yet even this plan is unclear. Would they negotiate a secession from Baghdad? Would they negotiate a confederation agreement with the Iraqi government? Or would

they negotiate the outstanding issues that have hitherto prevented Iraq from being the kind of federation that Kurds have expected it to be for years? When Iraqi Kurdish officials are pressed on these points, they often answer by stating that the main rationale for the upcoming referendum is to compel counterparts in Baghdad to respect the parts of the Iraqi Constitution that outline Kurdish autonomy.

Erbil policymakers have remained vague regarding which approach they intend to take, perhaps strategically in order to allow for flexibility. They have already stated that the referendum will not result in unilateral action by the KRG, and that the results will not be binding. However, the language around the latter point has shifted -- indicating that the referendum result commits the KRG to negotiate a divorce with Baghdad. Negotiation through Baghdad is ultimately the only way for Erbil to pursue its goal of independence without angering regional neighbors like Iran or Turkey, as well as international actors like the United States. Working with the Iraqi government means that Kurdish independence will instead become an internal issue.

Many in Iraq and abroad hoped the referendum announcement would unite Iraqi Kurds despite ongoing economic crisis and political impasse in the region -- or, in other words, not act as a smokescreen for deeper problems in Iraqi Kurdistan. What validates this latter criticism is the lack of well-articulated strategy outlined in Erbil or capable institutions for pursuing the goal of independence after the referendum.

The Kurdish rhetoric about the referendum has also been somewhat inconsistent. In effect, the Kurds are developing a dual message. The first message is to the broader region and international community. It outlines the Iraqi Kurdish right to decide the future course of the region, and notes that the referendum represents a democratic process that will produce a declaration of intent rather than unilateral action. According to this narrative, the referendum is only making formal what is already known about Kurdish support for independence.

This kind of rhetoric, however, has backfired in domestic Kurdish politics. In Iraqi Kurdistan, the opposition to the ruling Kurdistan Democratic Party (KDP) has argued that the region already completed a referendum on independence in 2005. Then, the vote resulted in a 98.9 percent majority in favor of Kurdish independence from Iraq. That outcome was employed then as a powerful tool to win concessions from Baghdad -- chiefly the enshrinement of federalism into the Iraqi Constitution. Yet, in many ways, these results only benefited the Iraqi Kurdish ruling political parties; they did not help normal citizens. Today, opposition politicians have asked whether the September referendum is truly focused on attaining independence, or whether it is merely designed to use Kurdish nationalism to excise monetary concessions from the Baghdad government. These criticisms are valid due to the lack of strategy outlined by political leaders in Erbil.

Thus, the second message promulgated by Erbil is designed to ameliorate domestic dissent, and essentially states that the Kurdish referendum and a declaration of independence are actually the same thing. Politically, opposition parties cannot afford to argue against independence. They can only critique the process by which the referendum is held, escalating their rhetoric to demand that Erbil actually focus its efforts on independence rather than political gain. Such a course of unilateral action, however, would create greater regional backlash than the referendum has. The safest way forward for the Iraqi Kurdistan referendum is to put the Kurdish house in order first and, unless postponed, to hold the referendum in a legal and democratic way...

PWW: In January 2005, Iraqi Kurds voted nearly unanimously for independence. Today, while a "yes" vote seems ultimately inevitable, the percentage of Kurds advocating for independence may not be as high as it was in 2005. Who is voting "no" on the referendum?

Wahab: Young Iraqi Kurds are skeptical of the referendum and of independence. In 2005, by comparison, the KRG's governance deficit was not so glaring; people voted purely on Kurdish nationalistic identity.

In an interview with *Foreign Policy*, KRG President Masoud Barzani declared

[\(http://foreignpolicy.com/2017/06/15/masoud-barzani-why-its-time-for-kurdish-independence/\)](http://foreignpolicy.com/2017/06/15/masoud-barzani-why-its-time-for-kurdish-independence/) that Kurds "would prefer to die of starvation than to live under the oppression and occupation of others." This statement reflects the view of his older generation -- that is, the generation that knew Saddam Hussein. To these older Kurds, Kurdish independence is about grievances and genocide; they remember the existence of the short-lived Kurdish Republic of Mahabad in Iran. Ultimately, they believe that all Kurdish suffering is born of the fact that Kurds do not have a state of their own.

To the younger generation, which has not lived through this tragedy, the KRG's history begins in 1992 with elections, sanctions, and a subsequent economic boom after 2003. Their memory of Iraq is near nil, and pan-Kurdish nationalism is profound. In some circles, Iraqi Kurdistan is a political taboo; the preferred designation is southern Kurdistan, eyeing greater Kurdistan as the ultimate goal. For this younger generation, however, Kurdish governance and politics has been disappointing. Their region's recent history is defined by Erbil's failure to sustainably and equitably manage the region's wealth after Saddam. The KRG showed this youth the good life, but could not sustain it for them.

Therefore, many younger minds doubt whether the Iraqi Kurdish government today is ready for statehood. Young people may not be as willing to starve so that Kurdistan can become independent; they have never starved. Instead, they want to study at university, to own property and cars, or to eat at nice restaurants. They will not focus so much on the Kurdish *right* to independence as they will on the Kurdish *ability* to deliver the good life expected of sustainable statehood. This generational divide may reduce the number of participants in the referendum, should the younger people simply abstain or produce "no" votes.

PWW: While the 2005 outcome never led to Iraqi Kurdish statehood, it gave the region significant leverage during constitutional negotiations with Baghdad that year. How have Iraqi Kurdish leaders used the notion and threat of regional independence as a political tool vis-a-vis the federal Iraqi government?

Wahab: Importantly, the more backlash Erbil receives from Baghdad regarding its referendum, the larger the percentage of people voting "yes" will become. Iraq's Prime Minister, Haider al-Abadi, has been sensitive to this issue to-date. He prefaces his criticism of the KRG's decision by stating that Iraqi Kurds have the right to self-determination before speaking against the mechanics and timing of the proposed referendum. However, many other Iraqi politicians have taken a hard line, in some cases stating their desire to expel every Kurd from Baghdad if the KRG goes for independence. This escalatory language only serves to further politicize the referendum discussions and push Abadi to an edge.

The Kurds need to be very careful as well. While those who champion the referendum recognize that September is not perfect timing, they believe ultimately that time is not in Iraqi Kurdistan's favor: holding the referendum sooner rather than later is critical, in their view. The Kurds do not want to see former Prime Minister Nouri al-Maliki -- who is often regarded as the source of the KRG's troubles -- return to power in Baghdad. Abadi, who has been in power since summer 2014, is seen in a more favorable light. Yet he did not reverse many of the major policies Maliki implemented against the Kurds. This failure indicates that some of the problems between Erbil and Baghdad are not personality driven. In some cases -- most notably regarding the budget dispute and revenue sharing -- they are structural.

There are early indicators that Abadi is willing to negotiate constructively with his counterparts in Erbil. He was initially surprisingly empathetic with Kurdish aspirations; more recently, his rhetoric has grown increasingly aggressive, mainly due to domestic political pressures that push him to take a harder line against the Kurds. Abadi may wish to act in a conciliatory fashion toward the Kurds because he needs them to fight against ISIS, and to cooperate in Kirkuk and Mosul in reconstruction efforts. On the other hand, he cannot afford politically to be the Prime Minister under whose watch Iraq partitioned during a reelection period. It is important to remember that

policymakers in Erbil and Baghdad both know about these limits and constraints. Neither side has been overly aggressive against the other. This mutual understanding is ultimately a positive factor that will shape future negotiations, as both sides have an interest in maintaining the cordial environment that emerged during the fight against ISIS.

Finally, the other critical unknown behind Baghdad's decision-making process is the Iranian opinion regarding Kurdish independence. It will be interesting to monitor how responsive Abadi is to any pressure from Tehran during the negotiating process, as well as how some Iranian-backed elements within the Popular Mobilization Units (PMU) act. The Kurds sometimes make the mistake of challenging the PMU, giving the PMU a reason to maintain a presence in northern Iraq to oppose Kurdish aspirations and actions. Such actions force the Iraqi Security Forces (ISF) to choose a side, and this is a very dangerous proposition.

PWW: Although a "yes" vote seems inevitable, Iraqi Kurdish leaders have stressed that such an outcome would not precipitate immediate independence from Baghdad. What are the referendum's limits -- are there critical issues (such as the status of Kirkuk Province) that this vote will complicate or fail to adequately resolve?

Wahab: This question requires a two-pronged answer. First, for the referendum to provide the KRG-desired public mandate in favor of independence, they will need a strong "yes" majority -- perhaps 75-80 percent rather than 60 percent. To achieve this result, the referendum has to be properly executed within the Kurdish political context -- KRG leaders must build some political consensus, potentially through parliamentary reconciliation. Second, on the external front, Erbil needs to find a way to maneuver around opposition to its independence in Iraq, Turkey, Iran, and even the United States. A major factor shaping their ability to accomplish this is the resolution of the status of disputed territories, most notably Kirkuk. It seems at this stage, though, that the Kirkuk issue could provide some diplomatic flexibility for the KRG. For now, Erbil has declared that Kirkuk will be included in the upcoming referendum. If pressure mounts on the KRG, however, Kirkuk's exclusion could be a concession offered to Baghdad. Pressures on the KRG to postpone the referendum are mounting. It would be very damaging for the current Kurdish leadership if the KRG were to postpone or cancel the referendum, but it could hold a vote that does not include disputed territories. Or, perhaps, it could hold two separate referenda -- one for the KRG and one for the disputed territories, either simultaneously or in sequence. Once the referendum announcement is translated into real policy, all these questions will be on the negotiating table.

PWW: Following the referendum announcement, world leaders largely criticized the Iraqi Kurds' decision to move toward independence. Notably, the U.S. State Department objected to the plan. Why does the international community oppose Kurdish aspirations to statehood today?

Wahab: Preserving borders is a long-standing international norm. The Kurdish justification for secession from Iraq is seen as a right, or a good idea, whose time has not come. In the Iraqi Kurdish political calculation, however, the international community has bigger issues in the Middle East than dealing with the Kurds -- a mindset that encourages a level of adventurism and perhaps gambling in Erbil.

Kurdish leaders expected resistance, but the backlash against the call for referendum has been louder than they anticipated. Moreover, on the U.S. side, of course, the "One Iraq" policy remains powerful. A common Kurdish talking point states that Iraq is unsalvageable, and that instead it is crucial to save the portion of the country that can succeed -- that is, Iraqi Kurdistan. For policymakers in Washington, however, especially after ISIS, this kind of messaging is unpalatable.

This all being said, international opposition to the Kurdish referendum has so far been rhetorical -- it has not amounted to any international actor taking practical steps or measures to prevent the vote. For example, when Turkey announced that the September referendum was a "wrong" move, they caveated their statement by saying

that they would not shut their border or close the oil pipeline to Ceyhan. That is very good news for the KRG. All Erbil wants is a lack of practical opposition -- a very low expectation. Unlike during the 2005 vote, Kurdish leaders can show now that an autonomous Kurdistan is not a threat to Turkey (or Iran). Today, they must convince partners that a sovereign "version" of this autonomous region will not be a threat either.

The only disquieting news is the recent language in the U.S. National Defense Authorization Act, which would condition U.S. financial aid to Kurdish Peshmerga on unity with the rest of Iraq; this is the first practical move from the U.S. that translates the State Department's stance into action by making funding contingent on the existence of a unified Iraq. However, there is still a great deal of room for maneuver by both Washington and Erbil, despite the Congressional document. Of course, between now and the September referendum, the situation could change or worsen for Erbil. It is likely that during that critical period there will be a flurry of activity on the Kurdish side to send emissaries around the world, explaining their position, particularly in Washington.

PWW: Masoud Barzani has declared that he does not intend to stand for reelection in the upcoming 2017 presidential and parliamentary vote. How does the President's decision impact Iraqi Kurdistan's stability and position following a "yes"?

Wahab: Barzani's announcement is a very important development. However, the President is not being taken very seriously by his opposition. Their skepticism stems from a belief that Barzani's KDP might impose a new status quo on Iraqi Kurdish politics following the referendum and Barzani's retirement. It may require brokering from a third party, perhaps the U.S., to offset these concerns. Ultimately, though, having Barzani step down from power will not necessarily mean that Iraqi Kurdistan is suddenly a democratic state or region. In some ways, having Barzani in power allows him to be held accountable -- at least theoretically -- to parliament. As a private citizen, he would not be subject to any scrutiny or oversight. Essentially, it may be better for Iraqi Kurdistan's future for Barzani to be the most powerful man in Kurdish politics, but held accountable to an elected body, than for him to be simply the most powerful man in Kurdish politics.

PWW: If Iraqi Kurdistan moves toward independence, its leadership will be faced with the challenge of citizenship: deciding whether non-Kurdish communities living in the KRG or disputed territories, as well as Iraqi Kurds living outside the KRG, can become citizens of a future state. How can KRG policymakers determine the boundaries of citizenship -- given some of President Barzani's past rhetoric, what role will ethno-nationalist ideology play in that calculation?

Wahab: Answering this question is part of the policymaking process that the KRG has not yet undertaken. The referendum is about Iraqi Kurdistan only -- critically, it is a "Kurdistan referendum," not a "Kurdish referendum." It is due to this distinction that the disputed territories are so important. Any independent state will be multi-ethnic with a Kurdish majority. There will be religious minorities (Yazidis, Christians, Zoroastrians) and ethnic minorities (Turkmen, Arabs, Assyrians). Any future Kurdistan will be defined primarily by its geography, not its ethnic majority. This was among the first points that officials in Erbil stressed: the referendum is for the Kurds of Iraq only. Any future Kurdistan in Iraq will not be an ethno-nationalist country where every Kurd is welcome; there will be no policies similar to Israel's *aliyah*, even if the KRG wished for it. It is crucial that Erbil make this point clear, so as not to give its neighbors in Ankara or Tehran reasons to unite against Kurdish independence.

Ultimately, achieving independence following a "yes" vote will require that the Iraqi Kurds can find a united position. If, for example, international pressure against Kurdish independence mounts following the referendum, the domestic opposition to Barzani's move and its timing will increase as well. The Kurds will need to speak with one voice -- rather than through many separate channels with differing opinions regarding the referendum's reach, structure, and timing -- if they are to have a chance of success.

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